

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

HILDA SOLIS, Secretary of Labor,  
United States Department of Labor,  
Petitioner,

Case No. 1:10-mc-051

Weber, J.  
Litkovitz, M.J.

vs

TRUPRINT SERVICES, INC.,  
D.B.A. GRANT SAINT JOHN'S,  
Respondent.

**REPORT AND RECOMMENDATION**

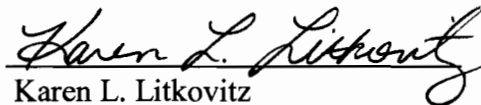
This matter is before the Court on the Petition to Compel Respondent to Comply with Subpoena Duces Tecum ("Petition") filed by Petitioner Secretary of Labor ("Secretary"). (Doc. 1). The Secretary filed the Petition on October 18, 2010. The Secretary seeks to compel respondent Truprint Services, Inc., d.b.a. Grant Saint John ("Truprint") to comply with a subpoena duces tecum ("subpoena") issued to Truprint by the Regional Director, Cincinnati Regional Office, Employee Benefits Security Administration, United States Department of Labor. The Secretary issued the subpoena in aid of an investigation pursuant to the Employee Retirement Income Act of 1974, 29 U.S.C. § 1001, et seq. ("ERISA"). (Doc. 1). Truprint has refused to obey the subpoena. (Doc. 1-1, Dustin Wilson Decl., ¶ 7).

On December 23, 2010, this Court ordered Truprint to show cause, in writing and within twenty days of the filing date of the Order, why Truprint should not be required to comply with the subpoena. (Doc. 3). On January 10, 2011, the Order to show cause was served on Glen Zucker (Doc. 4), the president and CEO of Truprint. (Doc. 1-1, Dustin Wilson Decl., ¶ 4). To date, Truprint has not responded to the Order to show cause. Because Truprint has refused to

obey the subpoena, the district court is authorized under 15 U.S.C. § 49 to issue an order compelling Truprint's compliance with the subpoena.

Accordingly, the undersigned **RECOMMENDS** that Truprint be ordered to appear before the Secretary's designated agent, at a place and time to be determined by the Court, and give testimony and produce the designated books, records and documents required by the subpoena.

Date: 2/14/2011

  
Karen L. Litkovitz  
United States Magistrate Judge

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**NOTICE**

Pursuant to Fed. R. Civ. P. 72(b), **WITHIN 14 DAYS** after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations. This period may be extended further by the Court on timely motion for an extension. Such objections shall specify the portions of the Report objected to and shall be accompanied by a memorandum of law in support of the objections. If the Report and Recommendation is based in whole or in part upon matters occurring on the record at an oral hearing, the objecting party shall promptly arrange for the transcription of the record, or such portions of it as all parties may agree upon, or the Magistrate Judge deems sufficient, unless the assigned District Judge otherwise directs. A party may respond to another party's objections **WITHIN 14 DAYS** after being served with a copy thereof. Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

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<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		A. Signature X <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee	
		B. Received by (Printed Name)	C. Date of Delivery
1. Article Addressed to: Glen Zucker Tropint Services Inc. dba Grant Saint John's 845 Claycraft Road Gahanna, Ohio 43230		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
		3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (transfer from service label)		7002 3150 0000 8389 1009	
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